### THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Manoj K. Bhattacharyya et al.

Examiner: H. Jey Tsai

Serial No.:

10/735,941

Group Art Unit: 2812

Filed:

Dec. 15, 2003

Docket No.:

10014277-2

Title:

MAGNETIC SHIELDING FOR MRAM DEVICES

#### **DECLARATION OF PRIOR INVENTION UNDER 37 C.F.R. § 1.131**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir/Madam:

This Declaration is submitted to establish prior invention of the subject matter of the present patent application. The person making this Declaration is the joint inventor, Anthony Peter Holden.

Accompanying this Declaration are Exhibits A through C to establish conception of the subject matter of the present patent application in the United States prior to the filing date of January 15, 2002, of U.S. Patent Application Pub. No. 2003/0132494 ("Tuttle et al.") coupled with due diligence from prior to the Tuttle et al. filing date to the April 18, 2002 filing date of the parent of the present patent application (i.e., constructive reduction to practice).

The present application (application no. 10/735,941, filed December 15, 2003, and assigned HP File No. 10014277-2) presents claims that were withdrawn from consideration in the parent application (application no. 10/125,095, filed April 18, 2002, and assigned HP File No. 10014277-1) as being directed to a non-elected invention.

Exhibit A (2 pages) includes a redacted HP Invention Disclosure submitted by the joint inventors Manoj Bhattacharyya, Darrel Bloomquist, and Anthony Holden and received by the HP Legal Department prior to January 15, 2002. In addition, this invention disclosure was witnessed prior to January 15, 2002. This invention disclosure was assigned HP Patent Disclosure No. 10014277 and describes subject matter of the present patent application.

Exhibit B (2 pages) includes a redacted HP Invention Disclosure submitted by the joint inventors Sarah Brandenberger, Darrel Bloomquist, and Manoj Bhattacharyya and received by the HP Legal Department prior to January 15, 2002. In addition, this invention disclosure was witnessed prior to January 15, 2002. This invention disclosure was assigned HP Patent Disclosure No. 10014284 and describes subject matter of the present patent

Declaration under 37 C.F.R. § 1.131 Applicant: Manoj K. Bhattacharyya et al.

Serial No.: 10/735,941 Filed: Dec. 15, 2003 Docket No.: 10014277-2

Title: MAGNETIC SHIELDING FOR MRAM DEVICES

application. The HP Patent Disclosure Nos. 10014277 (Exhibit A) and 10014284 (Exhibit B) were combined for purposes of preparation and filing of the patent application.

Exhibit C (8 pages, including attachments) is the Declaration of Matthew B. McNutt, the patent attorney assigned to prepare the parent of the present application, showing due diligence in preparation of the patent application from prior to the Tuttle et al. January 15, 2002, filing date to the April 18, 2002 filing date of the parent of the present patent application. .

From these exhibits, it can be seen that the subject matter of the present patent application was conceived prior to the filing date of January 15, 2002 of U.S. Patent Application Pub. No. 2003/0132494, coupled with due diligence from prior to the filing date of the reference to the filing date of the parent of the present patent application (i.e., constructive reduction to practice).

As a person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

thon leter Hold Date: JULY 14 2005

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HP Invention Disclosure

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10014277 PDNO

DATE RCVD

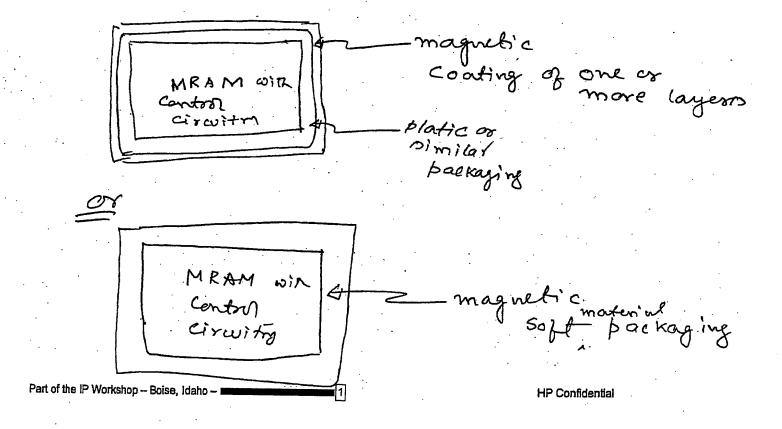
ATTORNEY

Descriptive Title of Invention:   Southway material coating shielding to
Permalloy/soft mag. material coating/shielding to
Signature of Inventor(s): Pursuant to my (our) employment agreement, I (we) submit this disclosure on this date: [ May 22 41 ].
(SARAH BRANDENBERGER Has a almoset i Linkical. Ple
Employee No. Name Signature Telnet Mailstop Entity & Lab Name
267954 MANOJ BHATTACHARYYA PuBliotechem 1-857-7475, Paloatto 0419-
49084 Darrel Bloomquist Danel Bloomenst
Employee No. Name  V Signature  Telnet Mailstop Entity & Lab Name
464700 ANTHONY HOLDEN OFFOLD
Signature of Witness(es) The invention was first explained to, and understood by, me (us) on this date:
Signature  Signature  Date of Signature
Description of Invention:
A. Description of the construction and operation of the invention (
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A Coating of post mergultic material tan be applied on the operation of the invention (  A Coating of post mergultic material tan be applied on the poekaging of posts plantic or other material.
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easy ares to block fields of
An alternate design/implementation can be
making the packaging material and of magnetically soft plantic.
B. Advantages of the invention over what has been done before.
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to external fields. The magnetic fields can
The magnetically written bits are thus sensitive to external ficials. The magnetic ficials can be earth magnetic ficial or any freid coming on of a motor or average.
o devices.

C	<b>Problems</b>	solved by the invention	

D. Prior solutions and their disadvantages (if available, attach copies of product literature, technical articles, patents, etc.).

Pictures/Flowcharts (if any):



Combir ) with 10014277

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**HP Invention Disclosure** PDNO 10014284

ATTORNEY

Descriptive Title of Invention:
Elethod of preventing external degradation of Mray
Signature of Inventor(s): Pursuant to my (our) employment agreement, I (we) submit this disclosure on this date: [ 3 21 0 ]
358135 SAPAH Brandender Sand Brandeley X61017 400 PSB Employee No. Name Signature Teinet Mailstop Entity & Lab Name
49084 Darrel Bloomquist DBloomquist
267954 Mano Bhatachary 16 Inchestechan
Employee No. Name Signature Telnet Mailstop Entity & Lab Name
Signature of Witness(es)The invention was first explained to, and understood by, me (us) on this date:
Full Name Signature Date of Signature 3
Description of Invention:
A. Description of the construction and operation of the Invention (
provide shielding similar to foraday cage or solid sh
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packaging.
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B. Advantages of the invention over what has been done before.
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as four as I know - no shielding has been used on
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writing. The cooping may also have the property of
distributing temperature.

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C.	<b>Problems</b>	solved	by the invention.

prevents external fields "conting" Mran

D. Prior solutions and their disadvantages (if available, attach copies of product literature, technical articles, patents, etc.).

Don't lewow of prior solutions

Pictures/Flowcharts (if any):

# Exhibit C

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Manoj K. Bhattacharyya et al.

Examiner: H. Jey Tsai

Serial No.:

10/735,941

Group Art Unit: 2812

Filed:

Dec. 15, 2003

Docket No.:

10014277-2

Title:

MAGNETIC SHIELDING FOR MRAM DEVICES

#### **DECLARATION OF MATTHEW B. MCNUTT**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir/Madam:

This Declaration is submitted in support of Declarations of Prior Invention Under 37 C.F.R. 1.131 submitted by joint inventors of the above-referenced patent application. This Declaration is submitted to establish due diligence in the preparation and filing of the parent of the above-referenced patent application in the United States from prior to the filing date of January 15, 2002, of U.S. Patent Application Pub. No. 2003/0132494 ("Tuttle et al.") to the April 18, 2002 filing date of the parent of the above-referenced patent application (i.e., constructive reduction to practice).

- I, Matthew B. McNutt, state as follows:
- 1. I am the patent attorney responsible for preparing the above-referenced patent application (serial no. 10/735,941, filed December 15, 2003, and assigned HP File No. 10014277-2), and also the parent of the above-referenced patent application (serial no. 10/125,095, filed April 18, 2002, and assigned HP File No. 10014277-1).
- 2. The above-referenced patent application (HP File No. 10014277-2) presents claims that were withdrawn from consideration in the parent patent application (HP File No. 10014277-1) as being directed to a non-elected invention.
- 3. I have been employed by the law firm of Dicke, Billig & Czaja since 2001.
- 4. I received invention disclosures (attached as Exhibit A and Exhibit B to the Declarations of Manoj Bhattacharyya, Anthony Holden, and Sarah Brandenberger) for purposes of preparing the parent of the above-referenced patent application on the subject invention of the invention disclosures on or around September 5, 2001 (see Exhibit 1, attached).

#### Declaration of Matthew B. McNutt

Applicant: Manoj K. Bhattacharyya et al.

Serial No.: 10/735,941 Filed: Dec. 15, 2003 Docket No.: 10014277-2

Title: MAGNETIC SHIELDING FOR MRAM DEVICES

- 5. Upon receiving the invention disclosures, they were placed in line to be prepared.
- 6. During the period between approximately September 5, 2001 and January 15, 2002, the parent of the above-referenced patent application was one of a number of backlogged unrelated cases on which I worked reasonably hard during this period and carried out expeditiously. My practice at the time was to attend to the preparation of patent application cases having bar dates first. I attended to the remaining patent application cases (including the parent of the above-reference patent application) generally in the chronological order in which the patent application cases were received.
- 7. An invoice issued by Dicke, Billig & Czaja for professional services rendered in preparing the parent of the above-referenced application is attached as Exhibit 2. In the invoice, the initials "MBM" (for "Matthew B. McNutt") are my initials.
- 8. As indicated on the invoice, I conducted a telephone interview with the inventors to discuss the subject invention of the invention disclosures on January 16, 2002.
- 9. After I interviewed the inventors on January 16, 2002, and continuing until on or around January 31, 2002, I prepared the parent of the above-referenced patent application.
- 10. On February 4, 2004, patent attorney Steve Dicke of Dicke, Billig & Czaja emailed to HP Managing Attorney Steven R. Ormiston an inventor-approved draft of the parent of the above-referenced patent application (see Exhibit 3, attached).
- 11. On February 13, 2002, HP Managing Attorney Steven R. Ormiston emailed patent attorney Steve Dicke with comments on the parent of the above-referenced patent application (see Exhibit 3, attached).
- 12. Between February 13, 2002 and about April 1, 2002, I revised the patent application in view of the comments of HP Managing Attorney Steven R. Ormiston.

Declaration of Matthew B. McNutt

Applicant: Manoj K. Bhattacharyya et al.

Serial No.: 10/735,941 Filed: Dec. 15, 2003 Docket No.: 10014277-2

Title: MAGNETIC SHIELDING FOR MRAM DEVICES

13. On April 2, 2002, a Declaration and Power of Attorney and Assignment documents for the parent of the above-referenced patent application were sent to HP Legal Assistant Chris Griffin for obtaining inventor signatures (see Exhibit 4, attached).

- 14. The declaration was executed by the inventors on or around, 2002 (see Exhibit 5, attached).
- 15. The parent of the above-referenced patent application was subsequently with the U.S. Patent and Trademark Office on April 18, 2002.

As a person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: // 20/11/

Matthew B. McNutt

Date:

13/05

Exhibit 1

# DICKE, BILLIG & CZAJA, P.A.

# Patent • Trademark • Copyright ATTORNEYS

Suite 1250 • 701 Building • 701 Fourth Avenue South • Minneapolis, Minnesota 55415 Telephone: (612) 573-2000 Facsimile: (612) 573-2005

Jolene A. Neby Direct Dial: (612) 573-0439

September 5, 2001

Mr. Matt McNutt Dicke, Billig, & Czaja, P.A. 4210 Spicewood Springs Road Suite 104 Austin, TX 78759

RE: New U.S. Patent Application for:

Permalloy/Soft Magnetic Material Coating/Shielding to Protect MRAM From Stray Field

H-P File No.: 10014277-1 DBC File No.: H302.226.101

Hi Matt,

Please proceed with preparing a patent application based on the above-referenced file. You may contact the inventors directly for further information you will need in order to prepare this application. The HP primary technical contact is Manoj Bhattacharyya of Palo Alto, California, who can be reached at (650) 857-7475. This application does require a search and the preparation of EP claims and abstract.

If you have any questions regarding this matter or HP procedures, which we may want to touch base on, please contact Steve or me at (612) 573-0439.

Regards,

DICKE, BILLIG & CZAJA, P.A.

Jolene A. Neby IP Legal Assistant

Enclosures

### DICKE, BILLIG & CZAJA, PLLC

Patent • Trademark • Copyright
ATTORNEYS

Fifth Street Towers • 100 South Fifth Street • Suite 2250 • Minneapolis, Minnesota 55402
Telephone: (612) 573-2000
Facsimile: (612) 573-2005

Hewlett-Packard Company Financial Administrator - PMHP Legal Dept. M/S 1068 HP Development Co, LP, PO Box 10301 Palo Alto CA 94303-0890 U.S.A.

Attn: Philip Lyren

MAGNETIC SHIELDING FOR MRAM DEVICES 10014277-1

#### Fees

01/16/2002 MB	M	Phone interview with inventor. Conduct prior art search.
01/17/2002 MB	M	Review prior art. Draft claims for patent application.
01/18/2002 MB	м .	Prepare patent application.
01/21/2002 MBI	<b>M</b>	Prepare patent application.
01/22/2002 MBI	м	Prepare patent application.
01/29/2002 MBI	M	Amend patent application per inventors comments.
01/30/2002 MBI	М	Amend patent application per inventors comments. Draft additional claims.
01/31/2002 PA	R	Paralegal services in preparation of Assignment document; in preparation of Declaration; in forwarding documents for execution; in reviewing application and drawings for accuracy; in preparation of transmittal and calculation of fees; in filing application and related documents at U.S. Patent and Trademark Office; in

completion of client checklist; in updating Request for Quote; in updating docket dates; in updating CaseMaster re: filing of documents; in reporting matter

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Page: 1 01/31/2002

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Account No: 303-216101M

Invoice No:

Hewlett-Packard Company

Page: 2 01/31/2002

Account No: 303-216101M

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Invoice No:

Rate

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MAGNETIC SHIELDING FOR MRAM DEVICES 10014277-1

PAR

to client. Paralegal services in preparation of Information Disclosure Statement; in preparation of PTO-1449 form; in compilation of related art; in preparation of transmittal sheet; in filing documents at U.S. Patent and Trademark Office; in updating CaseMaster re: filing of documents; in reporting

MBM

.matter to client. Phone conference with inventors. claims and figures per inventors

comments. For Current Services Rendered

Expenses

01/31/2002

Advances

01/30/2002

Task Code Not For

Terms: Balance Due upon Receipt

F.I.N. 52-2386944

Questions? Please call Quiana Reid at (612) 573-0121.

E-mail: qreid@dbclaw.com

1

Exhibit 3

From:

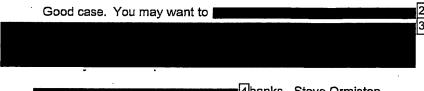
"ORMISTON,STEVEN (Non-HP-Boise,ex1)" <steve\_ormiston@non.hp.com>

To:

Steve Dicke <sdicke@dbclaw.com>

Date: Subject: Wed, Feb 13, 2002 2:37 PM RE: HP docket no. 10014277-1; DBC file no. H302.226.101

Steve,



4 hanks. Steve Ormiston.

Steven R. Ormiston
Outsourcing Manager, Patent Attorney
Hewlett-Packard Co.
Boise, ID
(208) 396-2544
steve\_ormiston@non.hp.com

----Original Message----

From: Steve Dicke [mailto:sdicke@dbclaw.com]

Sent: Monday, February 04, 2002 3:27 PM

To: steve\_ormiston@non.hp.com Cc: Jolene Neby; Matthew McNutt

Subject: HP docket no. 10014277-1; DBC file no. H302.226.101

#### Steve:

Attached is a patent application for the HP Invention Disclosure titled "Permalloy/Soft Magnetic Material Coating/Shielding to Protect MRAM" (HP docket no. 10014277-1; DBC file no. H302.226.101). EP claims and abstract are also attached.

The application has been reviewed and approved by the inventors.

Regards,

Steven E. Dicke

DICKE, BILLIG & CZAJA, P.A. Intellectual Property Law Attorneys 701 Fourth Ave. South, Suite 1250 Minneapolis, MN 55415

Tel: 612.573.2002 Fax: 612.573.2005

Email: sdicke@dbclaw.com

This electronic mail transmission may contain confidential or privileged information. If you believe that you have received the message in error, please notify the sender by reply transmission and delete the message without copying it or disclosing it.

CC

"Angela Tollerud (E-mail)" <angela\_tollerud@non.hp.com>

# Patent • Trademark • Copyright ATTORNEYS

Suite 1250 • 701 Building • 701 Fourth Avenue South • Minneapolis, Minnesota 55415
Telephone: (612) 573-2000 Facsimile: (612) 573-2005

April 2, 2002

Ms. Chris Griffin
HEWLETT-PACKARD COMPANY
Legal Department - 314
11307 Chinden Blvd.
Boise, ID 83707-1021

VIA FEDERAL EXPRESS

Re:

New U.S. Patent Application for:

MAGNETIC SHIELDING FOR MRAM DEVICES

HP File No.: 10014277-1 DBC File No.: 302,226.101

#### Dear Chris:

Enclosed are the Declaration and Power of Attorney and Assignment documents for inventor signature for the above-identified application. This application has already been reviewed and approved for filing by the inventor and Steve Ormiston. Please have the inventor execute these documents.

Please return the executed Declaration and Power of Attorney document to my attention via overnight Federal Express. We will then file the application, with formal papers, with the U.S. Patent Office. It is our understanding that you will retain the Assignment document for filing by HP at a later date.

If you have any questions regarding this matter, please feel free to contact me at (612) 573-0439.

Sincerely,

DICKE, BILLIG & CZAJA, P.A.

Jolene A. Neby Legal Assistant

Enclosures



#### HE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Manoj K. Bhattacharyya et al.

Examiner: H. Jey Tsai

Serial No.:

10/735,941

Group Art Unit: 2812

Filed:

Dec. 15, 2003

Docket No.: 10014277-2

Title:

MAGNETIC SHIELDING FOR MRAM DEVICES

#### DECLARATION OF PRIOR INVENTION UNDER 37 C.F.R. § 1.131

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir/Madam:

This Declaration is submitted to establish prior invention of the subject matter of the present patent application. The person making this Declaration is the joint inventor, Sarah Morris Brandenberger.

Accompanying this Declaration are Exhibits A through C to establish conception of the subject matter of the present patent application in the United States prior to the filing date of January 15, 2002, of U.S. Patent Application Pub. No. 2003/0132494 ("Tuttle et al.") coupled with due diligence from prior to the Tuttle et al. filing date to the April 18, 2002 filing date of the parent of the present patent application (i.e., constructive reduction to practice).

The present application (application no. 10/735,941, filed December 15, 2003, and assigned HP File No. 10014277-2) presents claims that were withdrawn from consideration in the parent application (application no. 10/125,095, filed April 18, 2002, and assigned HP File No. 10014277-1) as being directed to a non-elected invention.

Exhibit A (2 pages) includes a redacted HP Invention Disclosure submitted by the joint inventors Manoj Bhattacharyya, Darrel Bloomquist, and Anthony Holden and received by the HP Legal Department prior to January 15, 2002. In addition, this invention disclosure was witnessed prior to January 15, 2002. This invention disclosure was assigned HP Patent Disclosure No. 10014277 and describes subject matter of the present patent application.

Exhibit B (2 pages) includes a redacted HP Invention Disclosure submitted by the joint inventors Sarah Brandenberger, Darrel Bloomquist, and Manoj Bhattacharyya and received by the HP Legal Department prior to January 15, 2002. In addition, this invention disclosure was witnessed prior to January 15, 2002. This invention disclosure was assigned HP Patent Disclosure No. 10014284 and describes subject matter of the present patent

Declaration under 37 C.F.R. § 1.131 Applicant: Manoj K. Bhattacharyya et al.

Serial No.: 10/735,941 Filed: Dec. 15, 2003 Docket No.: 10014277-2

Title: MAGNETIC SHIELDING FOR MRAM DEVICES

application. The HP Patent Disclosure Nos. 10014277 (Exhibit A) and 10014284 (Exhibit B) were combined for purposes of preparation and filing of the patent application.

Exhibit C (8 pages, including attachments) is the Declaration of Matthew B. McNutt, the patent attorney assigned to prepare the parent of the present application, showing due diligence in preparation of the patent application from prior to the Tuttle et al. January 15, 2002, filing date to the April 18, 2002 filing date of the parent of the present patent application.

From these exhibits, it can be seen that the subject matter of the present patent application was conceived prior to the filing date of January 15, 2002 of U.S. Patent Application Pub. No. 2003/0132494, coupled with due diligence from prior to the filing date of the reference to the filing date of the parent of the present patent application (i.e., constructive reduction to practice).

As a person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Such Morris Brandenberger Date: 7/14/05

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	4)	
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**HP Invention Disclosure** 

10014277 PDNO

DATE RCVD

ATTORNEY

Descriptive Title of Invention:	coating/swielding to	,
Permalloy/soft mag. material		
	fortert MRAM from	<u> </u>
Signature of Inventor(s): Pursuant to my (our) employment agreement, I (we) sub-	nit this disclosure on this date: [ YVav 22 41].	6
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1464700 ANTMONY HOLDEN (I) foll	7/	
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Signature of Witness(es)The invention was first explained to, and understood by, m	e (us) on this date: [	
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Steven - Johnson Stu The		
Description of invention:		
A. Description of the construction and operation of the invention (	to be onto	93
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D. Prior solutions and their disadvantages (if available, attach copies of product literature, technical articles, patents, etc.).

Pictures/Flowcharts (if any):

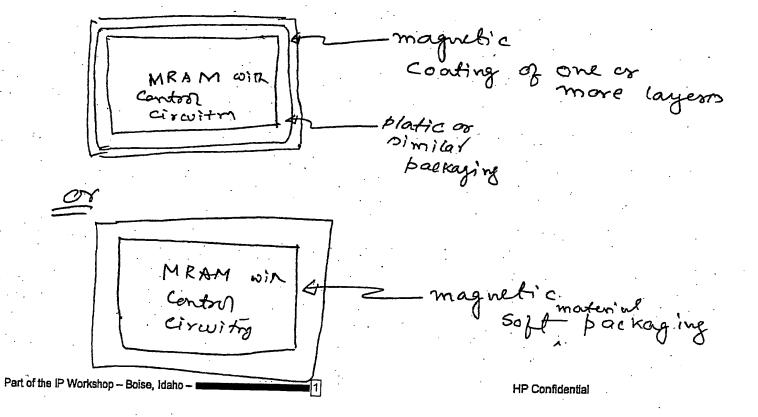


Exhibit B Cambir with 10014277

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7/5	<b>HP Invention Disclosure</b>		
PDNO /00/ 4284	∠ DATE RCVD	2 ATTOR	NEY
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Descriptive Title of Invention:		^	*
Rethod of preventing oxfer	rnal degradation	of Mram	· · · · · · · · · · · · · · · · · · ·
Signature of inventor(s): Pursuant to my (our) emplo	yment agreement, I (we) submit this dis	sclosure on this date: [3/2/	· O ( ].
358135 SARAH Brandbulgeral/ Employee No. Name	Sach Brandelegge	x66017 400	PSB
Employee No. Name U	Signature	Telnet Mailstop	Entity & Lab Name
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Description of Invention A. Description of the construction and operation of the invention ( provide shielding similar to founday cogé or solid shie This can either be on the chip or extung) packaging 1

Advantages of the invention over what has been done before. MRAM. This world also prevent outside fields from writing. The cooling may also have the property of distributing temperature.

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D. Prior solutions and their disadvantages (if available, attach copies of product literature, technical articles, patents, etc.).

Don't levon of prior solutions

Pictures/Flowcharts (if any):

Exhibit C

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Manoj K. Bhattacharyya et al.

Examiner: H. Jey Tsai

Serial No.:

10/735,941

Group Art Unit: 2812

Filed:

Dec. 15, 2003

Docket No.:

10014277-2

Title:

MAGNETIC SHIELDING FOR MRAM DEVICES

#### **DECLARATION OF MATTHEW B. MCNUTT**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### Dear Sir/Madam:

This Declaration is submitted in support of Declarations of Prior Invention Under 37 C.F.R. 1.131 submitted by joint inventors of the above-referenced patent application. This Declaration is submitted to establish due diligence in the preparation and filing of the parent of the above-referenced patent application in the United States from prior to the filing date of January 15, 2002, of U.S. Patent Application Pub. No. 2003/0132494 ("Tuttle et al.") to the April 18, 2002 filing date of the parent of the above-referenced patent application (i.e., constructive reduction to practice).

- I, Matthew B. McNutt, state as follows:
- 1. I am the patent attorney responsible for preparing the above-referenced patent application (serial no. 10/735,941, filed December 15, 2003, and assigned HP File No. 10014277-2), and also the parent of the above-referenced patent application (serial no. 10/125,095, filed April 18, 2002, and assigned HP File No. 10014277-1).
- 2. The above-referenced patent application (HP File No. 10014277-2) presents claims that were withdrawn from consideration in the parent patent application (HP File No. 10014277-1) as being directed to a non-elected invention.
- 3. I have been employed by the law firm of Dicke, Billig & Czaja since 2001.
- 4. I received invention disclosures (attached as Exhibit A and Exhibit B to the Declarations of Manoj Bhattacharyya, Anthony Holden, and Sarah Brandenberger) for purposes of preparing the parent of the above-referenced patent application on the subject invention of the invention disclosures on or around September 5, 2001 (see Exhibit 1, attached).

#### Declaration of Matthew B. McNutt

Applicant: Manoj K. Bhattacharyya et al.

Serial No.: 10/735,941 Filed: Dec. 15, 2003 Docket No.: 10014277-2

Title: MAGNETIC SHIELDING FOR MRAM DEVICES

- 5. Upon receiving the invention disclosures, they were placed in line to be prepared.
- 6. During the period between approximately September 5, 2001 and January 15, 2002, the parent of the above-referenced patent application was one of a number of backlogged unrelated cases on which I worked reasonably hard during this period and carried out expeditiously. My practice at the time was to attend to the preparation of patent application cases having bar dates first. I attended to the remaining patent application cases (including the parent of the above-reference patent application) generally in the chronological order in which the patent application cases were received.
- 7. An invoice issued by Dicke, Billig & Czaja for professional services rendered in preparing the parent of the above-referenced application is attached as Exhibit 2. In the invoice, the initials "MBM" (for "Matthew B. McNutt") are my initials.
- 8. As indicated on the invoice, I conducted a telephone interview with the inventors to discuss the subject invention of the invention disclosures on January 16, 2002.
- 9. After I interviewed the inventors on January 16, 2002, and continuing until on or around January 31, 2002, I prepared the parent of the above-referenced patent application.
- 10. On February 4, 2004, patent attorney Steve Dicke of Dicke, Billig & Czaja emailed to HP Managing Attorney Steven R. Ormiston an inventor-approved draft of the parent of the above-referenced patent application (see Exhibit 3, attached).
- 11. On February 13, 2002, HP Managing Attorney Steven R. Ormiston emailed patent attorney Steve Dicke with comments on the parent of the above-referenced patent application (see Exhibit 3, attached).
- 12. Between February 13, 2002 and about April 1, 2002, I revised the patent application in view of the comments of HP Managing Attorney Steven R. Ormiston.

Declaration of Matthew B. McNutt Applicant: Manoj K. Bhattacharyya et al.

Serial No.: 10/735,941 Filed: Dec. 15, 2003 Docket No.: 10014277-2

Title: MAGNETIC SHIELDING FOR MRAM DEVICES

13. On April 2, 2002, a Declaration and Power of Attorney and Assignment documents for the parent of the above-referenced patent application were sent to HP Legal Assistant Chris Griffin for obtaining inventor signatures (see Exhibit 4, attached).

- 14. The declaration was executed by the inventors on or around, 2002 (see Exhibit 5, attached).
- 15. The parent of the above-referenced patent application was subsequently with the U.S. Patent and Trademark Office on April 18, 2002.

As a person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Iame: Matthew B. McNutt

Date

Exhibit 1

# DICKE, BILLIG & CZAJA, P.A.

# Patent • Trademark • Copyright ATTORNEYS

Suite 1250 • 701 Building • 701 Fourth Avenue South • Minneapolis, Minnesota 55415 Telephone: (612) 573-2000 Facsimile: (612) 573-2005

Jolene A. Neby Direct Dial: (612) 573-0439

September 5, 2001

Mr. Matt McNutt Dicke, Billig, & Czaja, P.A. 4210 Spicewood Springs Road Suite 104 Austin, TX 78759

RE: New U.S. Patent Application for:

Permalloy/Soft Magnetic Material Coating/Shielding to Protect MRAM From Stray Field

H-P File No.: 10014277-1 DBC File No.: H302.226.101

Hi Matt.

Please proceed with preparing a patent application based on the above-referenced file. You may contact the inventors directly for further information you will need in order to prepare this application. The HP primary technical contact is Manoj Bhattacharyya of Palo Alto, California, who can be reached at (650) 857-7475. This application does require a search and the preparation of EP claims and abstract.

If you have any questions regarding this matter or HP procedures, which we may want to touch base on, please contact Steve or me at (612) 573-0439.

Regards,

DICKE, BILLIG & CZAJA, P.A.

Jolene A. Neby IP Legal Assistant

Enclosures

### DICKE, BILLIG & CZAJA, PLLC

#### Patent • Trademark • Copyright ATTORNEYS

Fifth Street Towers • 100 South Fifth Street • Suite 2250 • Minneapolis, Minnesota 55402 Telephone: (612) 573-2000 Facsimile: (612) 573-2005

Page: 1

01/31/2002

Account No: 303-216101M

18109

Invoice No:

Attn: Philip Lyren

U.S.A.

Hewlett-Packard Company

Legal Dept. M/S 1068

Financial Administrator - PMHP

MAGNETIC SHIELDING FOR MRAM DEVICES 10014277-1

HP Development Co, LP, PO Box 10301 Palo Alto CA 94303-0890

#### Fees

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01/16/2002 MBM	Phone interview prior art search	with inventor. Conduct
01/17/2002 MBM	Review prior ar patent applicat	t. Draft claims for ion.
01/18/2002 MBM	Prepare patent	application.
01/21/2002 MBM	Prepare patent	application.
01/22/2002 MBM	Prepare patent	application.
01/29/2002 MBM	Amend patent approximents.	olication per inventors
01/30/2002 MBM		plication per inventors t additional claims.
01/31/2002 PAR	Assignment docume Declaration; in execution; in redrawings for actransmittal and filing applications.	ces in preparation of ment; in preparation of forwarding documents for eviewing application and curacy; in preparation of calculation of fees; in ion and related documents and Trademark Office; in

completion of client checklist; in updating Request for Quote; in updating docket dates; in updating CaseMaster refiling of documents; in reporting matter

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Hours

Rate

Page: 2

Hewlett-Packard Company

01/31/2002

Account No: 303-216101M

Invoice No:

#### MAGNETIC SHIELDING FOR MRAM DEVICES 10014277-1

PAR

to client. Paralegal services in preparation of Information Disclosure Statement; in preparation of PTO-1449 form; in compilation of related art; in preparation of transmittal sheet; in filing documents at U.S. Patent and Trademark Office; in updating CaseMaster re: filing of documents; in reporting

MBM

matter to client. Phone conference with inventors. Revise. claims and figures per inventors

comments.

For Current Services Rendered

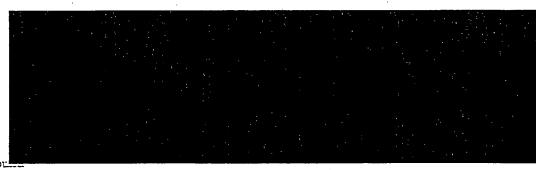
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#### Expenses

01/31/2002

#### Advances

01/30/2002



\*\*\* Task Code Not For

Terms: Balance Due upon Receipt F.I.N. 52-2386944

Questions? Please call Quiana Reid at (612) 573-0121.

E-mail: greid@dbclaw.com

1

Exhibit 3

From:

"ORMISTON,STEVEN (Non-HP-Boise,ex1)" < steve\_ormiston@non.hp.com>

To:

Steve Dicke <sdicke@dbclaw.com>

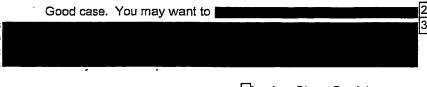
Date:

Wed, Feb 13, 2002 2:37 PM

Subject:

RE: HP docket no. 10014277-1; DBC file no. H302.226.101

Steve.



4 hanks. Steve Ormiston.

Steven R. Ormiston
Outsourcing Manager, Patent Attorney
Hewlett-Packard Co.
Boise, ID
(208) 396-2544
steve\_ormiston@non.hp.com

----Original Message----

From: Steve Dicke [mailto:sdicke@dbclaw.com] Sent: Monday, February 04, 2002 3:27 PM

To: steve\_ormiston@non.hp.com
Cc: Jolene Neby: Matthew McNutt

Subject: HP docket no. 10014277-1; DBC file no. H302.226.101

#### Steve:

Attached is a patent application for the HP Invention Disclosure titled "Permalloy/Soft Magnetic Material Coating/Shielding to Protect MRAM" (HP docket no. 10014277-1; DBC file no. H302.226.101). EP claims and abstract are also attached.

The application has been reviewed and approved by the inventors.

Regards,

Steven E. Dicke

DICKE, BILLIG & CZAJA, P.A. Intellectual Property Law Attorneys 701 Fourth Ave. South, Suite 1250 Minneapolis, MN 55415

Tel: 612.573.2002 Fax: 612.573.2005

Email: sdicke@dbclaw.com

This electronic mail transmission may contain confidential or privileged information. If you believe that you have received the message in error, please notify the sender by reply transmission and delete the message without copying it or disclosing it.

CC: "Angela Tollerud (E-mail)" <angela\_tollerud@non.hp.com>

### Patent • Trademark • Copyright ATTORNEYS

Suite 1250 • 701 Building • 701 Fourth Avenue South • Minneapolis, Minnesota 55415 Telephone: (612) 573-2000 Facsimile; (612) 573-2005

April 2, 2002

Ms. Chris Griffin
HEWLETT-PACKARD COMPANY
Legal Department - 314
11307 Chinden Blvd.
Boise, ID 83707-1021

<u>VIA FEDERAL EXPRESS</u>

Re:

New U.S. Patent Application for:

MAGNETIC SHIELDING FOR MRAM DEVICES

HP File No.: 10014277-1 DBC File No.: 302.226.101

#### Dear Chris:

Enclosed are the Declaration and Power of Attorney and Assignment documents for inventor signature for the above-identified application. This application has already been reviewed and approved for filing by the inventor and Steve Ormiston. Please have the inventor execute these documents.

Please return the executed Declaration and Power of Attorney document to my attention via overnight Federal Express. We will then file the application, with formal papers, with the U.S. Patent Office. It is our understanding that you will retain the Assignment document for filing by HP at a later date.

If you have any questions regarding this matter, please feel free to contact me at (612) 573-0439.

Sincerely,

PICKE, BILLIG & CZAJA, P.A.

Josene A. Neby Legal Assistant

Enclosures

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplicant:

Manoj K. Bhattacharyya et al.

Examiner: H. Jey Tsai

Serial No.:

10/735,941

Group Art Unit: 2812

Filed:

Dec. 15, 2003

Docket No.: 10014277-2

Title:

MAGNETIC SHIELDING FOR MRAM DEVICES

### DECLARATION OF PRIOR INVENTION UNDER 37 C.F.R. § 1.131

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir/Madam:

This Declaration is submitted to establish prior invention of the subject matter of the present patent application. The person making this Declaration is the joint inventor, Manoj K. Bhattacharyya.

Accompanying this Declaration are Exhibits A through C to establish conception of the subject matter of the present patent application in the United States prior to the filing date of January 15, 2002, of U.S. Patent Application Pub. No. 2003/0132494 ("Tuttle et al.") coupled with due diligence from prior to the Tuttle et al. filing date to the April 18, 2002 filing date of the parent of the present patent application (i.e., constructive reduction to practice).

The present application (application no. 10/735,941, filed December 15, 2003, and assigned HP File No. 10014277-2) presents claims that were withdrawn from consideration in the parent application (application no. 10/125,095, filed April 18, 2002, and assigned HP File No. 10014277-1) as being directed to a non-elected invention.

Exhibit A (2 pages) includes a redacted HP Invention Disclosure submitted by the joint inventors Manoj Bhattacharyya, Darrel Bloomquist, and Anthony Holden and received by the HP Legal Department prior to January 15, 2002. In addition, this invention disclosure was witnessed prior to January 15, 2002. This invention disclosure was assigned HP Patent Disclosure No. 10014277 and describes subject matter of the present patent application.

Exhibit B (2 pages) includes a redacted HP Invention Disclosure submitted by the joint inventors Sarah Brandenberger, Darrel Bloomquist, and Manoj Bhattacharyya and received by the HP Legal Department prior to January 15, 2002. In addition, this invention disclosure was witnessed prior to January 15, 2002. This invention disclosure was assigned HP Patent Disclosure No. 10014284 and describes subject matter of the present patent

Declaration under 37 C.F.R. § 1.131 Applicant: Manoj K. Bhattacharyya et al.

Scrial No.: 10/735,941

Filed: Dec. 15, 2003 Docket No.: 10014277-2

Title: MAGNETIC SHIRLDING FOR MRAM DEVICES

application. The HP Patent Disclosure Nos. 10014277 (Exhibit A) and 10014284 (Exhibit B) were combined for purposes of preparation and filing of the patent application.

Exhibit C (8 pages, including attachments) is the Declaration of Matthew B. McNutt, the patent attorney assigned to prepare the parent of the present application, showing due diligence in preparation of the patent application from prior to the Tuttle et al. January 15, 2002, filing date to the April 18, 2002 filing date of the parent of the present patent application.

From these exhibits, it can be seen that the subject matter of the present patent application was conceived prior to the filing date of January 15, 2002 of U.S. Patent Application Pub. No. 2003/0132494, coupled with due diligence from prior to the filing date of the reference to the filing date of the parent of the present patent application (i.e., constructive reduction to practice).

As a person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Sheula harry Date: 7/14/05

Write in Dark Ink on Front Side Only, Please
HP Invention Disclosure

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10014277 PDNO

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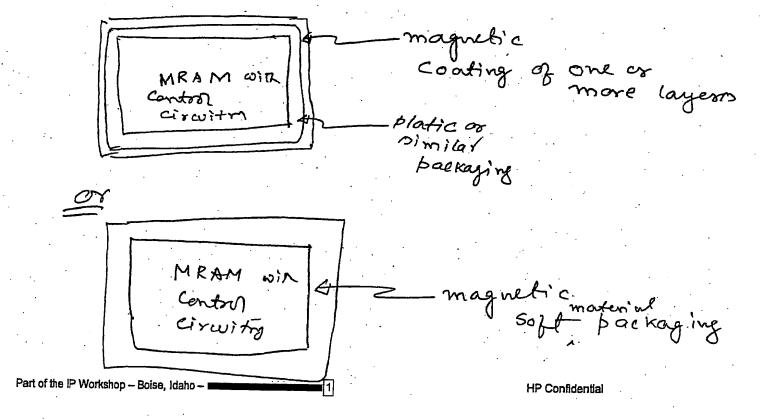
ATTORNEY

Descriptive Title of Invention: /
Permalloy/sat may. material coating/shielding to
Signature of Inventor(s): Pursuant to my (our) employment agreement, I (we) submit this disclosure on this date: [ May 22 4 1 ].
(SARAH BRANDENBERGER HOS G almost i windical.
Employee No. Name Signature Teinet Mailstop Entity & Lab Nam
267954 MANOJ BHATTACHARYYA PuBhatlacham 1-857-7475, Palasto 0419
49084 Darre Bomaust Danel Bomant
Employee No. Name Signature Telnet Mailstop Entity & Lab Nam
464700 ANTHONY HOLDEN OHOLD
Signature of Witness(es)The invention was first explained to, and understood by, me (us) on this date:
Full Name Signature  Date of Signature  3
Description of invention:  A. Description of the construction and operation of the invention (
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C.	Problems	solved	by the	invention

D. Prior solutions and their disadvantages (if available, attach copies of product literature, technical articles, patents, etc.).

Pictures/Flowcharts (if any):



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Write in Dalk i	vention Disclosure		
PDNO /00/ 4284	DATE RCVD	2 ATTOR	RNEY
1001 720		1 /	
Descriptive Title of Invention:	,		,
Rethod of preventing ordernal	degradation	of Mrain	·
Signature of inventor(s): Pursuant to my (our) employment ag	reement, I (we) submit this dis	closure on this date: [3/2/	-0( ].
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358135 SARAH Brandbulgerow Sa	IR. Delega	V6/2)7 420	PSR
Employee No. Name U Signa	ature	Telnet Mailstop	Entity & Lab Name
49084 Darrel Bloomquist 267954 Manoj Bhattachary Employee No. Name Sign	DBloomquiet.		
267954 Manoi Bhattachary	Vg Inghattuch	any	
Employee No. Name Signa	ature	Telnet Mailstop	Entity & Lab Name
Signature of Witness(es)The invention was first explained to, a	nd understood by, me (us) on	this date: 1	1
Full Name Signal			Signature
Steer C. Johnson S	tely's		3
Description of Invention:			
A. Description of the construction and operation of the invention			inore. Lirel
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c. Problems solved by the invention.

provents exercised fields "containe" Mran

D. Prior solutions and their disadvantages (if available, attach copies of product literature, technical articles, patents, etc.).

Don't levon of prior solutions

Pictures/Flowcharts (if any):

Exhibit C

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Manoj K. Bhattacharyya et al.

Examiner: H. Jey Tsai

Serial No.:

10/735,941

Group Art Unit: 2812

Filed:

Dec. 15, 2003

Docket No.:

10014277-2

Title:

MAGNETIC SHIELDING FOR MRAM DEVICES

#### DECLARATION OF MATTHEW B. MCNUTT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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This Declaration is submitted in support of Declarations of Prior Invention Under 37 C.F.R. 1.131 submitted by joint inventors of the above-referenced patent application. This Declaration is submitted to establish due diligence in the preparation and filing of the parent of the above-referenced patent application in the United States from prior to the filing date of January 15, 2002, of U.S. Patent Application Pub. No. 2003/0132494 ("Tuttle et al.") to the April 18, 2002 filing date of the parent of the above-referenced patent application (i.e., constructive reduction to practice).

- I, Matthew B. McNutt, state as follows:
- 1. I am the patent attorney responsible for preparing the above-referenced patent application (serial no. 10/735,941, filed December 15, 2003, and assigned HP File No. 10014277-2), and also the parent of the above-referenced patent application (serial no. 10/125,095, filed April 18, 2002, and assigned HP File No. 10014277-1).
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#### Declaration of Matthew B. McNutt

Applicant: Manoj K. Bhattacharyya et al.

Serial No.: 10/735,941 Filed: Dec. 15, 2003 Docket No.: 10014277-2

Title: MAGNETIC SHIELDING FOR MRAM DEVICES

- 5. Upon receiving the invention disclosures, they were placed in line to be prepared.
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Declaration of Matthew B. McNutt

Applicant: Manoj K. Bhattacharyya et al. Serial No.: 10/735,941

Filed: Dec. 15, 2003 Docket No.: 10014277-2

Title: MAGNETIC SHIELDING FOR MRAM DEVICES

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Name: Nathaw P. MaNutt

Matthew B. McNutt

Date

1/13/05

Exhibit 1

# DICKE, BILLIG & CZAJA, P.A.

# Patent • Trademark • Copyright ATTORNEYS

Suite 1250 • 701 Building • 701 Fourth Avenue South • Minneapolis, Minnesota 55415 Telephone: (612) 573-2000 Facsimile: (612) 573-2005

Jolene A. Neby Direct Dial: (612) 573-0439

September 5, 2001

Mr. Matt McNutt Dicke, Billig, & Czaja, P.A. 4210 Spicewood Springs Road Suite 104 Austin, TX 78759

RE: New U.S. Patent Application for:

Permalloy/Soft Magnetic Material Coating/Shielding to Protect MRAM From Stray Field

H-P File No.: 10014277-1 DBC File No.: H302.226.101

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If you have any questions regarding this matter or HP procedures, which we may want to touch base on, please contact Steve or me at (612) 573-0439.

Regards,

PICKE, BILLIG & CZAJA, P.A.

Jolene A. Neby IP Legal Assistant

Enclosures

### DICKE, BILLIG & CZAJA, PLLC

### Patent • Trademark • Copyright ATTORNEYS

Fifth Street Towers • 100 South Fifth Street • Suite 2250 • Minneapolis, Minnesota 55402 Telephone: (612) 573-2000 Facsimile: (612) 573-2005

Hewlett-Packard Company
Financial Administrator - PMHP
Legal Dept. M/S 1068
HP Development Co, LP, PO Box 10301
Palo Alto CA 94303-0890
U.S.A.

Attn: Philip Lyren

MAGNETIC SHIELDING FOR MRAM DEVICES 10014277-1

#### Fees

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01/16/2002	MBM		Phone interview with inventor. Conduct prior art search.
01/17/2002	MBM		Review prior art. Draft claims for patent application.
01/18/2002	MBM		Prepare patent application.
01/21/2002	MBM		Prepare patent application.
01/22/2002	MBM		Prepare patent application.
01/29/2002	MBM		Amend patent application per inventors comments.
01/30/2002	MBM		Amend patent application per inventors comments. Draft additional claims.
01/31/2002	PAR		Paralegal services in preparation of Assignment document; in preparation of Declaration; in forwarding documents for execution; in reviewing application and drawings for accuracy; in preparation of transmittal and calculation of fees; in filing application and related documents at U.S. Patent and Trademark Office; in

completion of client checklist; in updating Request for Quote; in updating docket dates; in updating CaseMaster re: filing of documents; in reporting matter

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Page: 1 01/31/2002

Account No: 303-216101M

Invoice No:

Hewlett-Packard Company

Page: 2 01/31/2002

Account No: 303-216101M

Invoice No:

18109

MAGNETIC SHIELDING FOR MRAM DEVICES 10014277-1

PAR

to client.

Paralegal services in preparation of Information Disclosure Statement; in preparation of PTO-1449 form; in compilation of related art; in preparation of transmittal sheet; in filing documents at U.S. Patent and Trademark Office; in updating CaseMaster re: filing of documents; in reporting matter to client.

MBM

Phone conference with inventors. Revise claims and figures per inventors

comments.

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F.I.N. 52-2386944

Questions? Please call Quiana Reid at (612) 573-0121.

E-mail: qreid@dbclaw.com

Exhibit 3

From:

"ORMISTON,STEVEN (Non-HP-Boise,ex1)" < steve ormiston@non.hp.com>

To:

Steve Dicke <sdicke@dbclaw.com>

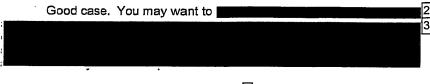
Date:

Wed, Feb 13, 2002 2:37 PM

Subject:

RE: HP docket no. 10014277-1; DBC file no. H302,226,101

Steve,



4hanks. Steve Ormiston.

Steven R. Ormiston
Outsourcing Manager, Patent Attorney
Hewlett-Packard Co.
Boise, ID
(208) 396-2544
steve\_ormiston@non.hp.com

----Original Message----

From: Steve Dicke [mailto:sdicke@dbclaw.com]

Sent: Monday, February 04, 2002 3:27 PM

To: steve\_ormiston@non.hp.com Cc: Jolene Neby; Matthew McNutt

Subject: HP docket no. 10014277-1; DBC file no. H302.226.101

#### Steve:

Attached is a patent application for the HP Invention Disclosure titled "Permalloy/Soft Magnetic Material Coating/Shielding to Protect MRAM" (HP docket no. 10014277-1; DBC file no. H302.226.101). EP claims and abstract are also attached.

The application has been reviewed and approved by the inventors.

Regards,

Steven E. Dicke

DICKE, BILLIG & CZAJA, P.A. Intellectual Property Law Attorneys 701 Fourth Ave. South, Suite 1250 Minneapolis, MN 55415

Tel: 612.573.2002 Fax: 612.573.2005

Email: sdicke@dbclaw.com

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CC:

"Angela Tollerud (E-mail)" <angela\_tollerud@non.hp.com>



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Suite 1250 • 701 Building • 701 Fourth Avenue South • Minneapolis, Minnesota 55415 Telephone: (612) 573-2000 Facsimile: (612) 573-2005

April 2, 2002

Ms. Chris Griffin HEWLETT-PACKARD COMPANY Legal Department - 314 11307 Chinden Blvd. Boise, ID 83707-1021

<u>VIA FEDERAL EXPRESS</u>

Re:

New U.S. Patent Application for:

MAGNETIC SHIELDING FOR MRAM DEVICES

HP File No.: 10014277-1 DBC File No.: 302.226.101

#### Dear Chris:

Enclosed are the Declaration and Power of Attorney and Assignment documents for inventor signature for the above-identified application. This application has already been reviewed and approved for filing by the inventor and Steve Ormiston. Please have the inventor execute these documents.

Please return the executed Declaration and Power of Attorney document to my attention via overnight Federal Express. We will then file the application, with formal papers, with the U.S. Patent Office. It is our understanding that you will retain the Assignment document for filing by HP at a later date.

If you have any questions regarding this matter, please feel free to contact me at (612) 573-0439.

Sincerely,

PICKE, BILLIG & CZAJA, P.A.

Jolene A. Neby Legal Assistant

Enclosures

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